



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/830,220	04/23/2004	Takuto Yoshida	040894-7026	9332
9629	7590	11/17/2005	EXAMINER	
MORGAN LEWIS & BOCKIUS LLP 1111 PENNSYLVANIA AVENUE NW WASHINGTON, DC 20004			VELEZ, ROBERTO	
		ART UNIT	PAPER NUMBER	
		2829		

DATE MAILED: 11/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/830,220	YOSHIDA ET AL. <i>[Signature]</i>	
	Examiner Roberto Velez	Art Unit 2829	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 23 April 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-8 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 21 September 2004 is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____.
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>4/23/2004</u> .	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-8 are rejected under 35 U.S.C. 102(e) as being anticipated by ***Yanagisawa et al. (US Pat. 6,953,348)***.

The applied reference has a common Assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

Regarding claim 1, ***Yanagisawa et al.*** shows (Fig. 1C) an inspection coaxial probe, comprising: a conductive block [2], formed with a first face, a second face and a through hole [21] connecting the first face and the second face; a contact probe [1], comprising: a conductive pipe [13]; and a conductive plunger [11, 12], retractably (fig. 1D) provided in at a first end of the pipe, (Column 5, Lines 61-64) the plunger being to be brought into contact with a device to be inspected; and a first retainer [31],

comprising a first insulative member [31a] through which the first end of the pipe [13] is retained in the vicinity of the first face of the block, such that the pipe is coaxially held within the through hole [21] while forming a gap between an outer periphery of the pipe [13] and an interior wall of the through hole [21].

Regarding claim 2, **Yanagisawa et al.** discloses everything as claimed above; in addition, **Yanagisawa et al.** discloses (Column 6, Lines 46-48) the first insulative member [31] is a substrate provided on the first face of the block, and formed with a recess [31a] and a through hole [31b] communicated with the recess [31a]; and (Fig. 1C) the first end of the pipe [13] is fitted into the recess [31a] such that the plunger [11] coaxially extends through the through hole [31b] of the substrate [31].

Regarding claim 3, **Yanagisawa et al.** discloses everything as claimed above; in addition, **Yanagisawa et al.** shows (Fig. 5A, 5B) a first end portion of the through hole [21] of the block [2] is narrowed; the first insulative member [32] is a spacer formed with a recess [32a] and a through hole [32b] communicated with the recess [32a]; and the first insulative member [32] is inserted into the first end portion of the through hole [21] and the first end of the pipe [13] is fitted into the recess [32a], such that the plunger [11] coaxially extends through the through hole [32b] of the spacer and the through hole of the substrate [6].

Regarding claim 4, **Yanagisawa et al.** discloses everything as claimed above; in addition, **Yanagisawa et al.** shows (Fig. 5B, 5C) a conductive plate [24], formed with a first recess [24a] and a first through hole [24b] communicated with the first recess [24a], the plate being provided on the first face of the block, wherein: the first insulative

member [32] is a spacer formed with a second recess [32a] and a second through hole [32b] communicated with the second recess [32a]; and the first insulative member [32] is inserted into the first recess [24a] and the first end of the pipe [13] is fitted into the second recess, such that the plunger [11] coaxially extends through the first through hole [24b], the second through hole [32b] and the through hole [21] of the block [2].

Regarding claim 5, **Yanagisawa et al.** discloses everything as claimed above; in addition, **Yanagisawa et al.** shows (Fig. 2B) a second retainer [31], further comprising a second insulative member [31] through which a second end of the pipe [13] is retained in the vicinity of the second face of the block, wherein the contact probe [1] is electrically connected to a wiring board [5] on which an inspection circuit [47] is provided via the second end of the pipe [13].

Regarding claim 6, **Yanagisawa et al.** discloses everything as claimed above; in addition, **Yanagisawa et al.** shows (Fig. 5A, 5B) a first recess [24a] is formed on the second face of the block [2]; the second insulative member [32] is a spacer formed with a second recess [32a] and a through hole [32b] communicated with the second recess [32a]; the spacer [32] is fitted into the first recess [24a] and the second end of the pipe [13] is fitted into the second recess [32a], such that the second end of the pipe [13] is electrically connected to the wiring board [5] via the through hole [32b] of the spacer [32], while the spacer [32] is held by the wiring board [5] within the first recess [24a].

Regarding claim 7, **Yanagisawa et al.** discloses everything as claimed above; in addition, **Yanagisawa et al.** shows (Fig. 2B) a wiring board [5], on which an inspection

circuit [47] is provided, and to which a second end of the pipe [13] is electrically connected.

Regarding claim 8, **Yanagisawa et al.** discloses everything as claimed above; in addition, **Yanagisawa et al.** shows (Fig. 1D) the contact probe [1] further comprises a spring [14] inserted in the conductive pipe [13] to force the conductive plunger [11, 12] outwardly.

Response to Arguments

Applicant's arguments with respect to claims 1-8 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Roberto Velez whose telephone number is (571) 272-8597. The examiner can normally be reached on 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on (571) 272-2034. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

Art Unit: 2829

you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Roberto Velez
Art Unit 2829


Zandra V. Smith
Primary Examiner